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ABSTRACT

At least 10 additional states, as of Febraury 1975, and the Congress of the United States are shaping bills that, should they become law, will enable teachers and other professionals employed by public colleges and universities to utilize collective bargaining as an instrument for determining wages, hours, and other conditions of employment. Many of the legislators who helped to shape the existing 22 state collective bargaining laws gave little consideration to the special nature of the university and how academic collective bargaining may affect the character and quality of higher education. The effects of bargaining on higher education have now become a primary concern of trustees, students, and educators. For those who have the opportunity to shape new or amend old legislation this list of resources is offered as only a selected sample of agencies, organizations, and institutions where considerable time and effort have been expended in analyzing this concern. (MJM)

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SPECIAL REPORT #18

March 1975

RESOURCES FOR SHAPING COLLECTIVE BARGAINING LAWS TO MEET THE SPECIAL NEEDS OF HIGHER EDUCATION

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1. Academic Collective Bargaining Information Service, 1818 R Street, N.W., Washington, D.C. 20009. ACBIS has prepared several special reports designed to help interested parties to review legislative bills or existing laws from the viewpoint of the university.

   Special Report #17. "Analysis of Legislation in Twenty- Three States Enabling Academic Collective Bargaining in Higher Education." This is a staff report which provides a tabular analysis of the laws in terms of such questions as, "Who is the employer for higher education?", "What is the scope of bargaining?", "Are strikes permitted?", etc.

   Special Report #11. "Primary Concerns Expressed by Campus Administrators, Trustees, Faculty, Students, Unions, and Taxpayers About Collective Bargaining Laws." Another staff report providing a list of questions by which a bill or law may be analyzed to determine whether or not the primary concerns of the institutions are being met adequately.

   Special Report #14. "Suggested Inclusions in State Legislation for Higher Education Institutions Which Wish to Name the Board of Governors as the Employer for Collective Bargaining. Staff report.

   Special Report #15. "Suggested Inclusions in State Legislation for Higher Education Institutions Which Wish to Name the Chief Executive as the Employer for Collective Bargaining." Staff Report. This report suggests certain advantages of being able to settle impasses and grievances within the campus when the chief executive is named the employer and the board of governors acts as the administrative board for collective bargaining.

2. American Association of University Professors, One Dupont Circle, Suite 500, Washington, D.C. 20036. The Association has a number of materials that relate directly to legislation. Especially pertinent is the article by Gorman and Finkin (law professors) entitled, "State Bargaining Legislation" in the Autumn, 1974 issue of the AAUP Bulletin.

3. American Federation of Teachers, 1012 14th Street, N.W., Washington, D.C. 20005. The AFT has many pertinent publications. Ask for its model legislation relative to public sector bargaining and related articles. Contact Robert Nielson, Director of the Department of Colleges and Universities.

4. Board of Trustees of State Colleges in Colorado, State Services Building, 1515 Sherman Street, Denver, Colorado. The State College System has been given the privilege of making substantial input into the shaping of currently pending legislation. Many distinguished people have helped shape statements of principle and recommendation. Contact Sam Gates, Executive Director for papers and documents that may be available. Also, Richard A. Tharp, Assistant Counsel, University of Colorado, Boulder 80302 is drafting, in conjunction with the Colorado Commission on Higher Education, a collective bargaining bill solely for higher education. Another contact is Thomas Emmet, Vice President, Regis College, Denver, Colorado 80221, who has been a professional consultant to several committees working on the Colorado legislation.

5. Education Commission of the States, 1860 Lincoln Street, Suite 300, Denver, Colorado 80302. Ask Richard Millard, Director of Higher Education Services, for the resource handbook entitled, Collective Bargaining in Post Secondary Education Institutions. The handbook was prepared for the purpose of "...identification of critical issues facing state legislators...developing or administering collective bargaining legislation." It includes an analysis of the federal law; several state laws; academic governance; public policy issues; unit determination; scope of bargaining; etc. A new report is currently under preparation.

6. University of Hawaii, 2444 Dole Street, Honolulu, Hawaii 96822. The Industrial Relations Center, College of Business Administration has published a number of helpful references, but especially helpful is its Guide to Statutory Provisions in Public Sector which provides an analysis of state laws relative to such matters as impasse resolution procedures, scope of negotiations, union security, unit determination, etc.

7. Michigan Employment Relations Commission, 7310 Woodward Avenue, Detroit, Michigan. This is one of the most experienced boards in the U.S. for administering a public sector bargaining law governing higher education. The Commission and its staff have produced a number of pertinent decisions and publications. The chairman, Robert G. Howlett gave an address on the topic, "Equity and the Public Employee" providing an overview of state laws and their coverage.

8. University of Maryland, College Park, Maryland 20742. The University staff, especially Dennis Blumer, have been active in helping review and analyze state legislation. Blumer, the Executive Assistant to the Chancellor, has provided a number of helpful papers, one of which was a proposal he made as consultant to the University of Wisconsin Board of Regents, suggesting a "gradualist approach" in legislation enabling faculty to bargain collectively.

9. National Association of State Universities and Land Grant Colleges, One Dupont Circle, Suite 710, Washington, D.C. 20036. The Association has an active committee studying federal and state legislation. First report should be available about March 15. Contact Sue Fratkin, Director of Special Programs.

10. National Education Association, 1210 16th Street, N.W., Washington, D.C. 20036. The Association has produced many pertinent documents and statements. Their proposed model legislation is directed more toward lower rather than higher education, but is being revised. The Association also has prepared testimony given before Congressional Committees holding hearings on federal bills permitting bargaining for employees of all states and their subdivisions. Contact Robert Simpson, Room 309, Program Manager for Higher Education.

11. New York State Public Employment Relations Board, 50 Wolf Road, Albany, New York 06520. Like Michigan, New York was one of the first states to authorize public sector bargaining. NYSPERB has an effective staff of conciliators, counselors, and researchers. Chairman Robert Helsby has given many addresses including testimony before the U.S. Senate Subcommittee on Labor. Thomas Joyner is the Director of Research. Ask for their annual reports on the effectiveness of the Taylor Law.

12. University of Wisconsin System, Madison, Wisconsin 53706. The system has conducted over the past 18 months a thorough series of workshops, seminars, and contests using some of the best-known professional consultants in the field of public sector bargaining and higher education. A number of excellent papers by specialists have been prepared on the relationship between collective bargaining and higher education. The final report should be available about March 15, 1975. For these materials, contact Wallace Lemon, Associate Vice President for Administration, 1762 Van Hise Hall.